

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW
YORK

LAURO SANCHEZ, LUIS SANTOS, et al.,

Plaintiffs,

-vs-

BELLCLAIRE, INC. and KYUNG LEE,

Defendants.

Civil Action No. 07 CIV. 3429 (WHP)

**SCHEDULING ORDER
AND CIVIL CASE
MANAGEMENT PLAN**

ECF CASE

This Scheduling Order and Case Management Plan is adopted in accordance with Fed. R. Civ. P. 16-26(f).

1. This case is to be tried by a jury;
2. Joinder of additional parties to be accomplished by **9/15/07**.
3. Amended pleadings may be filed without leave of the Court until **9/15/07**.
4. Initial disclosure pursuant to Fed. R. Civ. P. 26(a)(1) to be completed within **fourteen (14)** days of the date of this Order or _____.
5. All fact discovery is to be completed within ninety (90) days of the date of this Order.

The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided the parties are certain that they can still meet the discovery completion date ordered by the Court.

- a. Initial requests for production of documents to be served by **8/10/07**.
- b. Interrogatories to be served by all parties by **9/28/07**.
- c. Depositions to be completed by **10/31/07**.
 - i. Unless the parties agree or the Court so orders, depositions are not held until all parties have responded to initial requests for document production.
 - ii. Depositions of all parties shall proceed during the same time.
 - iii. Unless the parties agree or the Court so orders, non-party depositions shall follow party depositions when possible.
- d. Any additional contemplated discovery activities and the anticipated completion date:

- e. Requests to Admit to be served no later than **9/28/07**.
- 6. Parties' expert reports, witness lists and identification of documents pursuant to Fed. R. Civ. P. 26(a)(2), (3) and 35(b) by:
 - a. Plaintiff **11/15/07**.
 - b. Defendant **11/15/07**.
- 7. Contemplated motions:
Plaintiff - motion to certify this case as a collective action
Plaintiff - summary judgment
Defendant - summary judgment
- 8. Following discovery, all counsel must meet for at least one hour to discuss settlement by **11/15/07**
- 9. Do parties consent to trial by a Magistrate Judge under 28 U.S.C. §636(c)? **No**

TO BE COMPLETED BY THE COURT:

- 10. The next Case Management Conference is schedule for _____ .
- 11. The Joint Pretrial Order shall be filed no later than _____ .

The Joint Pretrial Order should be in accordance with Judge Pauley's Individual Practices. If this is a jury trial, proposed voir dire and jury instructions shall be filed with the Joint Pretrial Order. No motion for summary judgment shall be served after the deadline fixed for the Joint Pretrial Order.

- 12. Final Pre-trial Conference is
- 13. Trial date is

DATED: New York, New York
July ____, 2007

SO ORDERED:

William H. Pauley III, U.S.D.J.